

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 2758 of 1998

in

SPECIAL CIVIL APPLICATION No 6642 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE and
MR.JUSTICE J.R.VORA

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?
(No. 1 to 5 NO)

DANABHAI K VANKAR

Versus

SUBHA RAO/ SECRETARY

Appearance:

MR IS SUPEHIA for Petitioners
RULE SERVED for Respondent No. 1, 3
Mrs. Paekh, Ld. Govt. counsel, i.b.
MR SP HASURKAR for Respondent No. 2

CORAM : MR.JUSTICE S.D.DAVE and
MR.JUSTICE J.R.VORA

Date of decision: 25/02/99

ORAL JUDGEMENT

Per: S.D. Dave, J :-

The applicants have approached this Court in the Contempt jurisdiction with a grievance that the orders

pronounced by the Ld. Single Judge in Spl.C.A. No. 6642 of 1997 have not been complied with. The said orders would go to show that the petition came to be granted and the impugned orders dated April 25, 1997 and July 21, 1997 cancelling the earlier orders dated March 02, 1996 came to be quashed and set aside. It has been said that, if any such orders are once again required to be passed, the petitioners shall have to be given an opportunity to be heard in the matter.

Ld. Govt. counsel Mrs. Parekh places on record the copy of the orders dated February 19, 1999. It appears that, after hearing the concerned persons afresh the orders have been passed. In our opinion, therefore, now the proceedings require to be disposed of. We order accordingly.

Ld. counsel Mr. Supehia who appears for the applicants is unhappy with the language employed at para-17 of the orders. Ld. Govt. counsel Mrs. Parekh also feels that the said paragraph is not in a good taste.

Ld. counsel Mr. Supehia makes a further grievance that the above said orders are not in consonance with the legal position. Ld. counsel says that the applicants shall approach the appropriate forum by taking out appropriate proceedings against the said orders. We can only record the statement without expressing any opinion over the same.

Proceedings shall stand disposed of. Rule shall stand discharged. No costs. Copy of the orders dated February 19, 1999 presented by Ld. Govt. counsel Mrs. Parekh be retained on record.

/vgn. -----